

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
NEVENKA DURAS,

Plaintiff,

- against -

WILLIAM F. DAWSON, JR.,

Defendant.

-----X

Index No. 64-116044
Date Filed: 7-9-04

SUMMONS

Plaintiff designates
NEW YORK COUNTY
as the place of trial

The basis of the venue
is Plaintiff's address

Plaintiff resides at
175 East 96th Street, Apt. 5S
New York, New York 10128

To the above-named Defendant:

YOU ARE HEREBY SUMMONED, to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is completed if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
June 30, 2004

Jacob Rabinowitz
JACOB RABINOWITZ, ESQ.
Attorney for Plaintiff
30 Vesey Street
New York, New York 10007
(212) 619-2534

Defendant's address:

William F. Dawson, Jr.
Partner
Wellspring Capital Management LLC
390 Park Avenue
New York, NY 10022-4608
(212) 318-9860

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

NEVENKA DURAS,

Index No.

Plaintiff,

- against -

COMPLAINT

WILLIAM F. DAWSON, JR.,

Defendant.

X

Plaintiff NEVENKA DURAS, complaining of the Defendant herein, by her attorney,
JACOB RABINOWITZ, alleges as follows:

1. At all times hereinafter mentioned the plaintiff was, and still is, a resident of the City and State of New York, County of New York.

2. At all times hereinafter mentioned the defendant, William F. Dawson, Jr., upon information and belief, is a resident of the State of New York.

3. At all times hereinafter mentioned, Park Avenue, at its intersection with 68th Street in the City, County and State of New York, is a public highway available for pedestrian traffic.

4. On or about April 19, 2004, upon information and belief, the defendant was the owner and operator of an automobile which struck the plaintiff while she was a lawful pedestrian attempting to cross the intersection of Park Avenue and 68th Street, in the City, County and State of New York.

5. That as a result of the collision of the automobile with the plaintiff, she was caused to sustain serious and severe injuries.

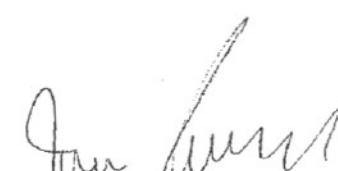
6. That the cause of the injuries sustained by the plaintiff was the negligence of the defendant.

7. That the negligence of the defendant consisted of his failure to operate his vehicle in a safe and orderly manner; his failure to yield the right-of-way to a lawful pedestrian; his disregard for the traffic signals then and there prevailing; operating his vehicle at an excessive speed under all circumstances; failing to have his vehicle under safe control; and so managing his vehicle that it struck the plaintiff as she attempted to cross the intersection as a lawful pedestrian.

8. That by reason of the foregoing, the plaintiff sustained personal injuries, was rendered sick, sore, lame and disabled, was obliged to incur medical expenses, and was impeded and interfered with in her lifestyle and daily occupation.

9. That by reason of the foregoing, the plaintiff sustained a series of substantial injuries pursuant to the provisions of Section 5102 of the Insurance Law of the State of New York.

10. That by reason of the foregoing, plaintiff is entitled to damages in the amount of \$500,000.



JACOB RABINOWITZ
Attorney for Plaintiff
30 Vesey Street, 11th Floor
New York, New York 10007
(212) 619-2534

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

NEVENKA DURAS,

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Plaintiff,

- against -

VERIFICATION

WILLIAM F. DAWSON, JR.,

Defendant.

X

STATE OF NEW YORK)
)
) ss:
COUNTY OF NEW YORK)

NEVENKA DURAS, being duly sworn, deposes and says:

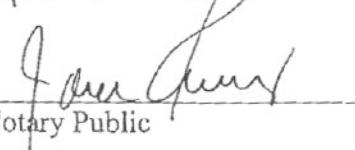
- 1) That I am a citizen of the City, County and State of New York;
- 2) That I am the Plaintiff in the above entitled matter; and
- 3) That I have read and know the contents of the annexed **COMPLAINT** and that

the same is true to the best of my knowledge, except as to those matters therein stated to be
alleged upon information and belief, and that as to those matters, I believe it to be true.

Dated: New York, New York
July 1, 2004


NEVENKA DURAS

Sworn to before me this
16 day of July, 2004


Notary Public

JACOB RABINOWITZ
Notary Public, State of New York
No. 02RA6009512

Qualified in New York County

Commission Expires June 29, 2005

WELLSPRING CAPITAL MGT

005

Index No.:

Year

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NEVENKA DURAS,

Plaintiff,

-against-

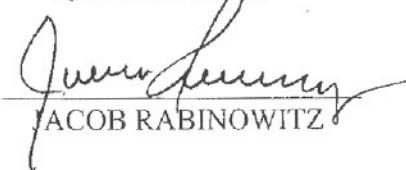
WILLIAM F. DAWSON, Jr.,

Defendant.

SUMMONS AND COMPLAINT

Law Offices of
JACOB RABINOWITZ
30 Vesey Street
New York, NY 10007
(212) 619 2534

Signature (Rule 130-1(a))


JACOB RABINOWITZ

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEVENKA DURAS

Plaintiff

-v-

WILLIAM F. DAWSON, JR.

Defendant

Case No.

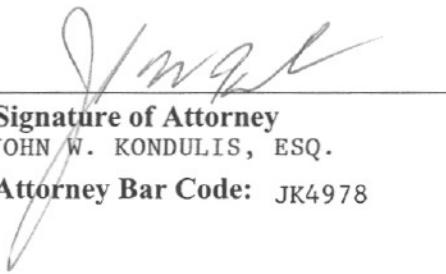
Rule 7.1 Statement

Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for

WILLIAM F. DAWSON (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party, which are publicly held.

NONE

Date: JUL 21 2004


Signature of Attorney

JOHN W. KONDULIS, ESQ.

Attorney Bar Code: JK4978